

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LARRY PULLIAN,

Defendant.

8:05CR38

ORDER

Defendant Larry Pullian (Pullian) appeared before the court on June 18, 2012, on the Second Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 90). Pullian was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Assistant U.S. Attorney Robert C. Sigler. Through his counsel, Pullian waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Pullian should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Pullian requested a hearing which was held immediately. Pullian proffered through counsel he would abide by the conditions of release, maintain employment, attend substance abuse treatment, and care for his children. Since it is Pullian's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Pullian has failed to carry his burden and that Pullian should be detained pending a dispositional hearing before Chief Judge Smith Camp.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 9:30 a.m. on July 19, 2012.** Defendant must be present in person.
2. Defendant Larry Pullian is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 18th day of June, 2012.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge